



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 21, 1997

VIA FEDERAL EXPRESS

Richfield Bank and Trust Company
ATTN: Mary Petersen, Financial Dept.
6625 Lyndale Avenue South
Richfield, MN 55423-2389

RE: MUR 3774

Dear Ms. Petersen:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended. The Commission has issued the attached Subpoena which requires Richfield Bank and Trust Company to provide certain information in connection with an investigation it is conducting. The Commission does not consider the Bank a respondent in this matter, but rather a witness only.

The Commission's attached subpoena seeks account information for an incorporated entity rather than an individual or a partnership entity of less than five individuals. Accordingly, The Right to Financial Privacy Act of 1978 (the "RFPA") does not apply because a corporation does not meet the definition of a "customer" as defined by the RFPA. See 12 U.S.C. § 3401 and Ridgeley v. Merchants State Bank, 688 F. Supp. 100 (N.D. Tex. 1988).

Further, because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

Please note that you are required to submit the information within 20 days of your receipt of this Subpoena. All answers to questions must be submitted under oath.

[illegible]

Sincerely,

Sincerely,
Dawn M. Ochowski

Enclosure
Subpoena w/ Attachment

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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)

MUR 3774

SUBPOENA TO PRODUCE DOCUMENTS

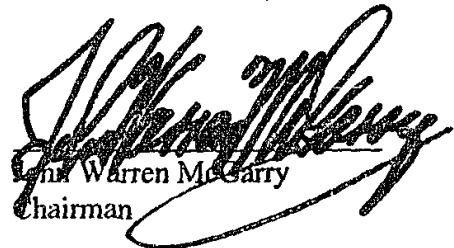
TO: Richfield Bank and Trust Company
ATTN: Mary Petersen, Financial Dept.
6625 Lyndale Avenue South
Richfield, Minnesota 55423-2389

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas the documents listed in the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

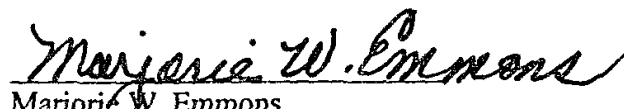
Notice is given that these documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, within 20 days of this Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his
hand in Washington, D.C. on this 21st day of August, 1997.

For the Commission,


John Warren McGarry
Chairman

ATTEST:


Marjorie W. Emmons
Secretary to the Commission

Attachment
Document Request

INSTRUCTIONS

In answering this request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

If you cannot provide the requested documentation in full after exercising due diligence to secure the full information, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from October 1, 1994 to December 31, 1994.

The following requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

REQUEST FOR PRODUCTION OF DOCUMENTS

Within 20 days of service of this request, Richfield Bank and Trust Company, Inc. is required to submit all documents cited below:

1. All monthly or other periodic account statements for all accounts held by Minnesota Citizens Concerned for Life, Inc., with Richfield Bank and Trust Company between October 1 and December 31, 1994, including but not limited to Checking Account Number 09-11-438.
2. All deposit tickets and copies of all deposited items in amounts of \$5,000 or more related to the accounts, and covered by the time period, addressed in Request 1.
3. Copies of all checks in amounts of \$500 or more drawn on the accounts, and covered by the time period, addressed in Request 1.
4. Copies of all signature cards and all other documents concerning access to or control over the accounts addressed in Request 1.